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Office of Protected Resources  
National Marine Fisheries Service  
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May 27, 2001

Dear Ms. Weiting,

Is it the job of the Marine Mammal Conservation Division to determine if the Navy is wrong or lying, or to determine if they are justified in their lies? My understanding is that the NMFS has a responsibility to oversee any activities that may endanger ocean resources no matter what the justification is for the endangerment.

The Honolulu meeting made it all too clear that Marine Fisheries has taken on the job of pacifying the public and the scientific community, and the job of promoting the Navy's anti-submarine program, rather than reviewing the FEIS or seeking adequate information to make a decision of global proportions.

The Navy has ignored all independent studies and is basing their conclusions on a few weeks of shoddy observation with no follow up studies. If I claim that there was an 80% reduction in Spinner and Spotted dolphin births as a result of the sonar testing in Hawaii, the least we could expect is Navy studies refuting such a claim.

The fact is that the Navy has no such studies because they didn't return to look at the long-term effects of the LFAS. The studies of independent naturalists and the reports by whale watch boats and fishermen, of still born dolphins is the current lines, support the claim that the dolphin birth rate dropped drastically as a result of the sonar tests.

The Navy's limited and biased studies should not be the "scientific" basis on which to risk the health of the oceans and the extinction of cetaceans. If there is even a reasonable doubt as to the safety of this technology, the small take permit should be denied.

The evidence that mid range sonar killed the stranded beaked whales in the Bahamas and that NATO LFAS did the same to the whales in the Mediterranean should raise enough warning flags to deny the permit. If the entire population of beaked whales (see attachment 1) was killed in the Bahamas, it can not possibly be considered "small" or "incidental." The permit should be at the very least postponed until the Navy can prove beyond a doubt that active sonar was not responsible. (See attachment 2 for the odds of this occurrence being the result of active sonar)

The Navy's outright lies and misinformation should be another warning flag. Until Joe Johnson is willing to be in the water with the LFAS at even a mere 130db, I will not believe that it is safe for humans, mammals, fish, reptiles or the general health of the

oceans. The fact is that any human exposed to the LFAS has suffered health problems, including Navy personnel.

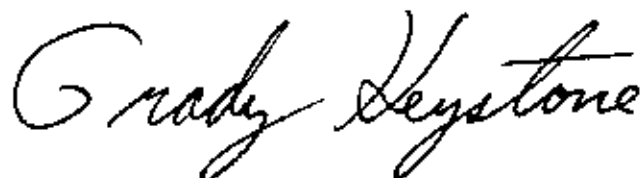
My background is in Biology (UC Santa Cruz) and I am a naturalist and guide, both hiking and kayaking. I live in Hawaii and spend several days a week on or near the ocean in the Kawaihae area. My observation is that the majority of Humpbacks left the testing area during the tests and there was a reduced population the year after the tests. Once again there are no Navy studies to refute my observations because there are no Navy studies. (See attachment 3). They have just been trying to justify their illegal spending of tax dollars and have no interest in the truth. This is why we have agencies like NMFS, a regulating body with a responsibility to protect the Marine Mammals.

It was obvious at the hearings in Honolulu that the NMFS as well as The Navy were there to sell and pacify, and not to listen or consider. The Navy and NMFS have to be separated for this process to work. There is so much at risk. On the other hand the NMFS has the opportunity to do something that will be applauded by generations to come; to allow the great whales and dolphins, and the oceans in general, to survive human greed and stupidity.

Thank you for taking public comment. On the other hand I would like to express my frustration with the scientist-on-the-payroll wasting our time in Honolulu showing graphs of whale songs. That was insulting. We did not come from the outer Islands to talk about whale songs. It seemed a very weak attempt at diversion from the real issues. If he were showing graphs of resonant frequencies rupturing brain or lung or lymph tissue and talked about what decibel level is required to kill whales or dolphins or humans in submarines, or swimmers a mile away, at the varying frequencies, it would have held my interest. Instead he took up valuable time repeating the misinformation available in the FEIS. Why was he speaking first and longest when NMFS already had access to that information? He certainly wasn't telling the rest of us anything we hadn't already reviewed. Was NMFS not there to review the FEIS?

I am sending a copy of this letter and attachments to representatives in Congress and the Senate in hopes that if you do not do your job of protecting Marine Mammals, that congress will call for oversight hearings and a General Accounting Office audit of the Navy Anti-submarine Warfare Program.

Sincerely,

A handwritten signature in cursive script that reads "Grady Keystone". The signature is written in dark ink and is positioned above the typed name and address.

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